

Disability Rights Nebraska

Protection and Advocacy for People with Disabilities

**Testimony on LB 1062
Before the Judiciary Committee
Nebraska Legislature
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**Bradley A. Meurrens, MPA
Public Policy Director
Disability Rights Nebraska**

Good afternoon Senator Lathrop and members of the committee. For the record my name is Brad B-R-A-D Meurrens M-E-U-R-R-E-N-S and I am the Public Policy Director at Disability Rights Nebraska. We are the designated Protection and Advocacy organization for persons with disabilities in Nebraska, and I am here today in strong support of LB 1062.

Research demonstrates that preparing inmates for reentry—rather than simply releasing them without supervision when their sentence is complete—is a key determinant of successful transition from prison to the community . The transition from incarceration to the community is a crucial time period to address overarching needs and supports to released inmates:

“A critical component of cross-system work occurs at the transition from jail or prison to the community. Reentry into the community is a vulnerable time, marked by difficulties adjusting...and a 12-fold increased risk of death in the first two weeks after release.”¹

The U.S. Department of Justice has described the critical role of reentry in transforming our criminal justice system:

“New research is providing lessons about how the criminal justice system in the United States can reduce recidivism, prevent crime and victimization, and better use precious public resources... authorities can lead change efforts in this transformation because they are uniquely positioned to target interventions to the appropriate offenders...[with] strong, collaborative

¹ Blandford, Alex M. and Fred C. Osher. *Guidelines for the Successful Transition of Individuals with Behavioral Health Disorders from Jail and Prison*. Delmar, NY: SAMHSA's GAINS Center for Behavioral Health and Justice Transformation, 2013 <https://csgjusticecenter.org/wp-content/uploads/2013/12/Guidelines-for-Successful-Transition.pdf>

partnerships with and support from other key stakeholders—including chief executives, prison officials, and parole supervision agencies...”.²

Re-entry programs and community supervision instead of incarceration leads to better outcomes for public safety and ensures lower recidivism:

“Research suggests that incarceration does little to change a person’s behavior...high rates of re-arrest and reincarceration translate to more victims, racial and ethnic disparities, an escalation of correctional and justice system cost, and a cycle of challenges for those who enter the justice system and struggle to stay out.”³

Instead of keeping people in prison, re-entry and other forms of support such as parole with supervision has been shown to be effective in reducing future criminal activity by 10-30%.⁴

While reentry plans in general can help minimize the risk of recidivism and improve individual outcomes, reentry will be more successful when there is continuity of care to support prisoners with mental illness as they transition to their home communities. The absence of sufficient medical and mental health services in re-entry plans may leave prisoners without needed care⁵ and released prisoners with mental illness “require immediate and ongoing services to successfully reenter the community”⁵. La Vigne et al (2008) write:

“These services not only refer to the obvious needs for medication, medical equipment, prescriptions and referrals, but also to assistance in accessing these key supports. Many individuals facing mental health challenges will require intensive support in order to navigate life outside of prison. This support is particularly critical given that mentally ill releasees tend to receive less support from family members relative to other former prisoners and rarely have private insurance or Medicaid benefits to fund medical treatment.”⁶

For this reason, we would wish to make a friendly suggestion that the committee strongly consider including the provision of mental health treatment and/or services in any residential pre-discharge reentry programs (for example, see page 1 at lines 18-19). The needs of this population are distinct, multiple, multi-faceted and must be included in re-entry programs.

Disability Rights Nebraska recommends that LB 1062 be advanced.

² U.S. Department of Justice, National Institute of Corrections, “The Future of Parole as a Key Partner In Assuring Public Safety,” 2011, page 1. <https://s3.amazonaws.com/static.nicic.gov/Library/024201.pdf>

³ U.S. Department of Justice, National Institute of Corrections, “Myths and Facts: Why Incarceration Is Not the Best Way to Keep Communities Safe,” page 2. <https://s3.amazonaws.com/static.nicic.gov/Library/032698.pdf>

⁴ Ibid. at page 6.

⁵ La Vigne, N. et al (2008) *Release Planning for Successful Reentry: A Guide for Corrections, Service Providers, and Community Groups*, <https://www.urban.org/sites/default/files/publication/32056/411767-Release-Planning-for-Successful-Reentry.PDF>

⁶ Ibid.